

Remarks/Arguments to the Claim Rejections:

Examiners Rejections:

“The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action: etc.”

“Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (6,332,308 B1), in view of Ko (6,066,195)”.

“Miller discloses a self-contained, portable workstation (A) comprising a vacuum source (50) for providing air evacuation from the work station (a) via a vacuum hose (40) wherein the vacuum hose (40) has a first end operatively interconnected to the vacuum source (50) and a second end operatively interconnected onto a work platform (20), and the work platform (20), a replaceable air filter system (46) therein and in open communication with a filtered air outlet located on the housing (col. 5, lines 33-42), and a housing mounted on rollers (8). Miller also discloses the vacuum hose being adjustable in length and easily manipulated into a position of choice (see 40 in Fig. 1), and the vacuum source (50) contained within a housing (col. 5, lines 20-22). Claims 1-14 differ from the disclosure of Miller in that the work platform formed from transparent plates. Ko discloses a work platform or housing (12) for filters wherein the housing (12) is fabricated of a transparent material (col. 3, line 58 through col. 4, line 10). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the wall of the platform (20) of Miller with transparent material as taught by Ko so that a user can visually estimate the amount of dust and particulates that has accumulated in the duct network (see col. 4, lines 5-7).”

“ Regarding the limitations of a “handle” of claim 6 or a “mirror” of claim 13 or a “light source” of claim 14, these are only accessories or changes of part and it is well settled that mere change of shape without affecting the function of the part would have been an obvious design modification.”

Applicants Reply:

The Examiner states that the Miller 308’ reference teaches everything as claimed within the present invention excluding that the plate members are made from transparent material. However, the Ko 195’ reference teaches transparent material. Thus, the Examiner concludes that the present invention is not patentably distinct if the noted references were combined in just the right way.

The applicant fully disagrees as even if the references were combined in the manner suggested **the end result would simply be a transparent box and certainly would not be usable as a portable workstation as clearly claimed and taught by the present invention.** Each cited reference **clearly defines in the claims and in the specification that the invention is “only functional if made in the shape of a box”.** Each reference clearly points out that each have sidewalls, a bottom etc. Each of which are eliminated within the present invention. Thus, each reference clearly teaches away from that which is taught by the present invention.

It is to be understood that one of the most important and novel features of the **present invention is that it is clearly not a “box” and is only formed from two integrally interconnected plates that provide a work platform there between.** This is a **most important object of the present invention as this allows an object to be positioned therein and allows for manipulation of the object while eliminating contact of**

contaminants associated therewith. Therefore, clearly providing most unusual results that are surely not attainable by the cited references.

With reference to the Examiners remarks pertaining to the “handle”, “mirror” and the “light source”. It is contended that each of these features are very important for function of the present invention and are definitely not simply obvious design modifications. The “handle” is very important for ease of movement thereof and if used by a patient this is most convenient and important. The “mirror” and “light source” are especially important as this allows an ostomy patient to easily see and view the stoma and this is not possible with any of the prior art.

However, to more clearly define over the prior art the Applicant has amended claim 1 to more clearly claim not only the two plates but also their function. Thus reconsideration of the rejection is respectfully requested.

More importantly it is unclear as to why the Examiner has cited the noted references, as each are clearly non-analogous art. They certainly are not portable work- stations and they certainly could not be used as such. In fact the Miller 308’ reference teaches against this concept as it is a huge contraption and must be transported to the worksite via heavy equipment. See Col. 4, under “DETAILED DESCRIPTION”, second paragraph, lines 1-3. Wherein stated “The roof drill A is mounted on a mobile carriage or cart B which may be driven into the mine entrance by a truck C or other heavy equipment vehicle.”

The applicant further wishes to note that the inclusion of the “mirror” and “light” do in fact greatly affect the function and usefulness of the invention. This is especially

important if used by an ostomy patient who cannot easily see the stoma area and/or a physician. Thus, reconsideration of the rejection is respectfully requested.

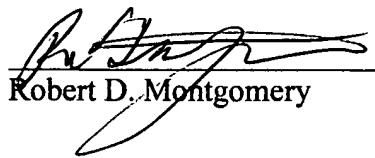
In view of the above, if the Examiner agrees but does not feel that the present claims are technically adequate and/or if the Examiner (knowing that the applicant is not skilled a Attorney's but is applying as a private citizen) can see areas which applicant has failed to point out and distinctly claim but would lead to patentable material, then I respectfully request the Examiner to point out said material and to write acceptable claims pursuant to MPEP 707.07(j) and give the applicant an opportunity to respond further before final action.

CONCLUSION

For all the reasons above, this application is now submitted to contain claims that define a novel and patentable invention. Hence allowance of the application is respectfully submitted to be proper and is respectfully solicited.

I thank the Examiner for their time and I look forward to our next reply.

Very respectfully,


Robert D. Montgomery